

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

CARL GREIG,

Plaintiff,

v.

TEXAS A&M UNIVERSITY
TEXARKANA,

Defendant.

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CIVIL ACTION NO. 5:23-CV-30-JRG

ORDER

On May 7, 2025, Defendant Texas A&M University Texarkana filed a Motion for Reconsideration (the “Motion”) in response to the Court’s May 2, 2025 Order regarding Defendant’s failure to answer Plaintiff’s Complaint and the legal consequences thereof. (Dkt. No. 78; *see* Dkt. No. 76); *see also* Fed. R. Civ. P. 8(b)(6) (“An allegation . . . is admitted if a responsive pleading is required and the allegation is not denied.”). On May 8, 2025, Defendant filed an Amended Motion for Reconsideration (the “Amended Motion”), which added an objection to the Court’s decision to disallow evidence regarding the Defendant’s proffered failure-to-mitigate affirmative defense. (Dkt. No. 79; Dkt. No. 76); *see also* Fed. R. Civ. P. 8(c)(1) (“In responding to a pleading, a party must affirmatively state any avoidance or affirmative defense . . .”).

In light of Defendant’s Motions, the Court hereby **DENIES** both the Motion and the Amended Motion. The Court sees no meritorious basis to reconsider its prior rulings necessitated by Defendant’s failure to answer Plaintiff’s allegations or its failure to appropriately plead a failure-to-mitigate-damages defense.

So ORDERED and SIGNED this 8th day of May, 2025.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE